

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING

APRIL 16, 2002

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, April 16, 2002 at 9:00 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting called to order at 9:00 a.m. by Chairman ARTHUR SLATTERY.

Present: Commissioners ARTHUR SLATTERY, MARTIN SMITH, PAULINE IKAWA, BARBARA HEATH, NANCY LeRoy, Executive Director BETH EMMONS, Investigator ANN FLANAGAN and Administrative Assistant MARILYN PRIEST.

- I. Motion by Commissioner SMITH, seconded by Commissioner LeRoy, to approve and accept the minutes of the Commission meeting held on March 19, 2002.

II. APPOINTMENTS

9:00 a.m. - Equivalency Interviews

<u>CANDIDATE</u>	<u>COMMISSIONER</u>	<u>DETERMINATION</u>
MIKE CLARIZIO	SMITH	APPROVED

JAMES KUDALIS	TABLED
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Mr. Kudalis to supply the Commission with further documentation of experience.

9:20 a.m. - LISA LEMAIR appeared before the Commission regarding a previous legal incident prior to applying for a salesperson's license. After discussion and review, and on a motion by Commissioner HEATH, seconded by Commissioner LeRoy, the Commission unanimously voted to allow Ms. Lemair to take the salesperson's exam, and upon a passing score, apply for her salesperson's license.

11:03 a.m. - Attorney WILLIAM E. CHRISTIE appeared before the Commission on behalf of his client, JAMES T. ANECKSTEIN regarding File No. 2002-01-01 NHREC VS JAMES T. ANECKSTEIN. Attorney Christie, on behalf of Mr. Aneckstein, presented an Offer for Settlement in the matter of File No. 2002-01-01 to surrender Mr. Aneckstein's broker license to the Commission for a 15-month period while Mr. Aneckstein serves a 15-month term of incarceration. After review of the file and discussion, the Commission unanimously accepted Mr. Aneckstein's offer to voluntarily surrender his broker license for the 15-month period, but after the duration of the 15-month period, Mr. Aneckstein would be required to appear before the Commission for a hearing on the matter of File No. 2002-01-01 to determine what further action, if any, will be taken. Commissioner SLATTERY was the evaluating Commission member and abstained from any discussion and decision in this matter.

III. DISCUSSION

CAROL ANDERSON requested an extension to complete the 40 hour pre-licensing course mandated by the Order issued on FILE NO. 3-7-00 LINDA O'KEEFE VS CAROL ANDERSON & ALLAN COLE, due to extreme personal family situations. After review and discussion, the Commission unanimously granted Ms. Anderson an extension of four months from the date of this commission meeting.

CONTINUING EDUCATION - The Commission discussed the benefits of requiring all distance continuing education courses submitted to the Commission for accreditation or re-accreditation to have ARELLO certification as a step towards ensuring the courses that are provided to the licensees through distance education are qualified courses and are in the best interest to the public. After discussion on the matter, the Commission unanimously decided to endorse the ARELLO certification process in the near future. This requirement will be initiated through the rulemaking process.

PRE-LICENSING - The Commission discussed the issue of the total amount of hours that will be considered for pre-licensing education toward the broker education requirement. The Commission reiterated their earlier decision that each hour of pre-licensing education attended will count for one hour of education credit, but a pre-licensing course and/or weekend review will not exceed 40 hours of education credit.

RULEMAKING - The Commission members reviewed and discussed Final Proposal 2001-163 approved by the Joint Legislative Committee on Administrative Rules at their March 15, 2002 meeting. On motion by Commissioner LeRoy, seconded by Commissioner Ikawa, it was the unanimous decision of the Commission members present and voting to approve the final proposal. The Executive Director to file the final proposal with the Office of Legislative Services to become effective June 1, 2002 at 12:01 a.m.

Upon a request at the March 19, 2002 Commission meeting by Complainant Pamela Ruth in Complaint File No. 02-01-00, Commissioner SLATTERY re-evaluated the complaint file. Commissioner SLATTERY determined that there was no violation and therefore no hearing necessary on the matter.

IV. OTHER BUSINESS

1. Wednesday, May 29, 2002 was unanimously approved as the date for the next regular meeting.

2. CASE EVALUATIONS

(a) **FILE NO. 2001-07-02**

Evaluator: Commissioner LeRoy

Determination: Should be heard, hearing to be scheduled.

(b) **FILE NO. 2001-12-04**

Evaluator: Commissioner SLATTERY

Determination: Should be heard, hearing to be scheduled. In the alternative, the Commission unanimously approved to offer the Respondent a Settlement Agreement with a disciplinary fine in the amount of \$250.00.

The above determinations were unanimously approved.

V. HEARING 9:30 AM

FILE NO. 2001-06-03 BRADLEY STEUSLOFF VS STEPHEN WEEKS

Evaluator: Commissioner HEATH

The following persons were present at the hearing:

Commission: Commissioners ARTHUR SLATTERY, MARTIN SMITH, PAULINE IKAWA,
Executive Director BETH EMMONS, Investigator ANN FLANAGAN, Administrative Assistant
MARILYN PRIEST and Executive Secretary CYNTHIA PATTEN.

Stenographer: Barry Nolin

Gerard J. Nolin & Associates, LLC
P.O. Box 1088
Concord, NH 03302-1088

Evaluator: Commissioner HEATH evaluated the above matter and abstained from participation in the discussion and resulting decisions. Commissioner LeRoy was a recused member and abstained from participation in the discussion and resulting decisions.

Complainant: Bradley Steusloff

64 Diane Drive
Belmont, NH 03220

Attorney: Pro Se

Witness: Ann Flanagan, Investigator

NH Real Estate Commission
25 Capitol Street, Room 434
Concord, NH 03301

Respondent: Stephen Weeks

348 Court Street
Laconia, NH 03246

Attorney: Anthony C. Marts, Esq.

112 Gorham Pond Road
P.O. Box 59
Goffstown, NH 03045

Witness: Daniel Sullivan

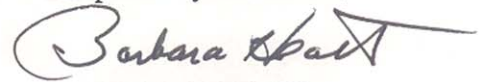
65 Cotton Road
Belmont, NH 03220

DECISION: Pending - subject to review of transcripts, exhibits and motions.

VI. ADJOURNMENT

Motion by Commissioner LeRoy, seconded by Commissioner Smith to adjourn the meeting. Chairman SLATTERY adjourned the meeting at 11:45 a.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Barbara Heath", with a stylized flourish extending from the end.

BARBARA HEATH
Clerk